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ATTORNEY DOCKET NO. CONFIRMATION NO. FIRST NAMED INVENTOR APPLICATION NO. FILING DATE 10/636,068 Gilad Lavi E1067/20279 9849 08/07/2003 **EXAMINER** 3000 02/27/2006 7590 CAESAR, RIVISE, BERNSTEIN, WILLIAMS, CATHERINE SERKE COHEN & POKOTILOW, LTD. PAPER NUMBER **ART UNIT** 11TH FLOOR, SEVEN PENN CENTER **1635 MARKET STREET** 3763 PHILADELPHIA, PA 19103-2212 DATE MAILED: 02/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/636,068	LAVI ET AL.
	Examiner	Art Unit
	Catherine S. Williams	3763
The MAILING DATE of this communication Period for Reply	appears on the cover sheet wit	h the correspondence address
A SHORTENED STATUTORY PERIOD FOR REWHICHEVER IS LONGER, FROM THE MAILING - Extensions of time may be available under the provisions of 37 CFF after SIX (6) MONTHS from the mailing date of this communication - If NO period for reply is specified above, the maximum statutory period for reply within the set or extended period for reply will, by stany reply received by the Office later than three months after the meanned patent term adjustment. See 37 CFR 1.704(b).	G DATE OF THIS COMMUNIC R 1.136(a). In no event, however, may a re riod will apply and will expire SIX (6) MONT atute, cause the application to become ABA	PATION. ply be timely filed THS from the mailing date of this communication. ANDONED (35 U.S.C. § 133).
Status		
1)	This action is non-final. wance except for formal matte	•
Disposition of Claims		
4) ☐ Claim(s) 1-15 is/are pending in the applicate 4a) Of the above claim(s) 1-6 and 9-14 is/are 5) ☐ Claim(s) is/are allowed. 6) ☐ Claim(s) 7,8 and 15 is/are rejected. 7) ☐ Claim(s) is/are objected to. 8) ☐ Claim(s) are subject to restriction and Application Papers	re withdrawn from consideration	n.
Application Papers	•	
9) The specification is objected to by the Exam 10) The drawing(s) filed on is/are: a) Applicant may not request that any objection to Replacement drawing sheet(s) including the cor 11) The oath or declaration is objected to by the	accepted or b) objected to be the drawing(s) be held in abeyand rection is required if the drawing(s	ce. See 37 CFR 1.85(a). s) is objected to. See 37 CFR 1.121(d).
Priority under 35 U.S.C. § 119		
12) Acknowledgment is made of a claim for fore a) All b) Some * c) None of: 1. Certified copies of the priority document	nents have been received. nents have been received in Appriority documents have been reau (PCT Rule 17.2(a)).	oplication No received in this National Stage
Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB Paper No(s)/Mail Date 11/03/03.	Paper No(s)	ummary (PTO-413))/Mail Date formal Patent Application (PTO-152)

DETAILED ACTION

Election/Restrictions

Applicant's election without traverse of the Species of figure 25 in the reply filed on 12/20/05 and during the telephone interview on 2/17/05 is acknowledged. During the telephone interview applicant was reminded that only one species could be elected.

Claims 1-6,9-13 and 14 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made without traverse in the reply filed on 12/20/05. Claims 1-6, 9-12 and 14 contain limitations that are not included in the elected species.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 7,8 and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Brenneman (USPN 5,466,220). Brenneman teaches a housing (12,30,40,64), a port (24), a delivery device in the shape of a pen (60), and a support surface (10). See figure 1. Method steps include inserting the container, transferring a volume of fluid, and separating the delivery device from the housing. The delivery device is considered a pen injector since the syringe has a length similar to a pen and is held in the hand like a pen.

Art Unit: 3763

Claims 7,8 and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Haber et al (USPN 5,329,976). Haber teaches a housing (16), a port (87), a delivery device in the shape of a pen (8), and a support surface (22). See figures 1-2. Method steps include inserting the container, transferring a volume of fluid, and separating the delivery device from the housing. The delivery device is considered a pen injector since the syringe has a length similar to a pen and is held in the hand like a pen.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Catherine S. Williams whose telephone number is 571-272-4970. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nicholas D. Lucchesi can be reached on 571-272-4977. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Catherine S. Williams

February 17, 2006